



**MICHAEL P. PAPPAS LAW FIRM, P.C.**

New York • New Jersey • California

November 24, 2020

**VIA ECF**

The Honorable J. Paul Oetken  
United States District Judge  
United States District Court, S.D.N.Y.  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, New York 10007

Re: **Choe v. Landry's, Inc. - 20-cv-08939-JPO**

Dear Judge Oetken:

We represent the Plaintiff, Michael Choe. Although Plaintiff believes: (i) there were appropriate grounds for initially bringing this action in New York State Court (*see* CPLR 7515); and (ii) there are valid defenses to Defendant's motion to compel arbitration, as stated in *Newton v. LVMH Moet Hennessy Louis Vuitton Inc.*, Index No. 154178/2019, 2020 NY Slip Op. 32290(U) (S. Ct. N.Y. Cty. July 10, 2020), Plaintiff nevertheless does not oppose Defendant's motion and will arbitrate this matter in accordance with the purported arbitration agreement.

To the extent Defendant seeks attorneys' fees and/or costs in connection with its motion, however, Plaintiff objects to any such award. After removal, Defendant filed its motion without first conferring with Plaintiff's counsel and without even providing Plaintiff's counsel with a copy of the arbitration agreement. Any costs associated with Defendant's motion could have been avoided if Defendant first conferred with Plaintiff, but Defendant chose not to do so.

MPP/mp

Respectfully submitted,

cc: Glenn S. Grindlinger, Esq. (via ECF)

***s/Michael P. Pappas***

Michael P. Pappas